

2643
R/S

PATENT

ATTORNEY DOCKET NO. 041464-5018-01



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

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Tomohiro KAWATA *et al.*

)

Confirmation No. 4409

Application No.: 08/931,615

)

Group Art Unit: 2643

Filing Date: September 16, 1997

)

Examiner: H. Le

For: SPEAKER UNIT

)

AMENDMENT TRANSMITTAL FORM

Commissioner for Patents
U.S. Patent and Trademark Office
220 20th Street S.

Customer Window, Mail Stop Amendment
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

1. Transmitted herewith is an **Amendment** in response to the Office Action dated **August 11, 2004 (Paper No. 38)**.
2. Additional papers enclosed:

- Drawings: Formal Informal (26 replacement sheets)
 Information Disclosure Statement
 Form PTO-1449, _____ references included
 Citations
 Declaration of Biological Deposit
 Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.
- Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

Total Months <u>Requested</u>	Fee for <u>Extension</u>	[Fee for Small Entity]
<input checked="" type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 450.00	\$ 225.00
<input type="checkbox"/> three months	\$ 1,020.00	\$ 510.00
<input type="checkbox"/> four months	\$ 1,590.00	\$ 795.00

Extension of time fee due with this request: **\$120.00**.

If an additional extension of time is required, please consider this a Petition therefor.

- An extension for _____ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

- EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	21	minus	21	0	x \$50 each =	+ \$0.00
Independent Claims (37 C.F.R. §1.16(b))	6	minus	6	0	x \$200 each =	+ \$0.00
[] First presentation of Multiple dependent claim(s)					\$360.00	+ \$0.00
SUB-TOTAL =						\$0.00
Reduction by $\frac{1}{2}$ for filing by a small entity						- \$0.00
TOTAL FEE =						\$0.00

6. Fee Payment

- No fee is to be paid at this time.
- The Commissioner is hereby authorized to charge Deposit Account No. 50-0310 in the amount of **\$120.00** for the one (1) month extension of time fee.
- The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By:

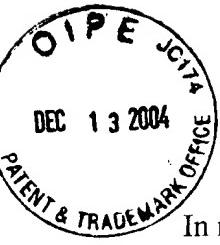


David J. Baltazar

(Reg. No. 53,964)

Dated: December 13, 2004

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Sir:

AMENDMENT UNDER 37 C.F.R. § 1.111

In response to the Office Action dated August 11, 2004 (Paper No. 38), the period for response to which has been extended through December 13, 2004 (December 11, 2004 being a Saturday) by a concurrently-filed petition for a one (1) month extension of time and corresponding fee payment, please amend the above-identified application as follows.

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